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**DECLARATION FOR UTILITY OR  
DESIGN  
PATENT APPLICATION  
(37 CFR 1.63)**Declaration  
Submitted  
With Initial  
Filing

OR

Declaration  
Submitted after Initial  
Filing (surcharge  
(37 CFR 1.16 (e))  
required)

Attorney Docket Number

12123-40951

First Named Inventor

Robert W. TWITCHELL, Jr.

**COMPLETE IF KNOWN**

Application Number

10/604,032

Filing Date

23 June 2003

Art Unit

Examiner Name

**I hereby declare that:**

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Network Formation in Asset-Tracking System Based on Asset Class

(Title of the Invention)

the specification of which



is attached hereto

OR



was filed on (MM/DD/YYYY)

06/23/2003

as United States Application Number or PCT International

Application Number

and was amended on (MM/DD/YYYY)

(if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application<br>Number(s) | Country | Foreign Filing Date<br>(MM/DD/YYYY) | Priority<br>Not Claimed  | Certified Copy Attached? |                          |
|--|---------|-------------------------------------|--------------------------|--------------------------|--------------------------|
|  |         |                                     |                          | Yes                      | No                       |
|  |         |                                     | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|  |         |                                     | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|  |         |                                     | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|  |         |                                     | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |



Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

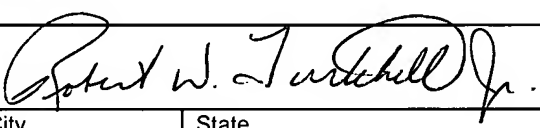
[Page 1 of 2]

This collection of information is required by 37 CFR 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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## DECLARATION — Utility or Design Patent Application

|   |                           |   |   |              |
|---|---------------------------|---|---|--------------|
| Direct all correspondence to: <input type="checkbox"/> Customer Number or Bar Code Label  |                           | 26702   | OR <input checked="" type="checkbox"/> Correspondence address below |              |
| Name<br>Chad D. Tillman; MORRIS, MANNING & MARTIN, LLP  |                           |   |   |              |
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| Country<br>U.S.   | Telephone<br>704-554-7070 |   | Fax<br>704-556-9554   |              |
| I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. |                           |   |   |              |
| NAME OF SOLE OR FIRST INVENTOR:   |                           | <input type="checkbox"/> A petition has been filed for this unsigned inventor |   |              |
| Given Name<br>(first and middle [if any])<br>Robert W.  |                           |   | Family Name<br>or Surname<br>TWITCHELL, Jr.                         |              |
| Inventor's Signature<br>  |                           |   | Date<br>7/10/03   |              |
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| NAME OF SECOND INVENTOR:  |                           | <input type="checkbox"/> A petition has been filed for this unsigned inventor |   |              |
| Given Name<br>(first and middle [if any])   |                           |   | Family Name<br>or Surname   |              |
| Inventor's Signature  |                           |   | Date  |              |
| Residence: City   | State                     | Country   | Citizenship   |              |
| Mailing Address   |                           |   |   |              |
| City  | State                     | ZIP   | Country   |              |
| <input type="checkbox"/> Additional inventors or a legal representative are being named on the _____ supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.  |                           |   |   |              |



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Continuation-in-Part Patent Application of:

Robert W. Twitchell, Jr.

U.S. Application Serial No. 10/604,032

Filed June 23, 2003

For Network Formation in Asset-Tracking System

Based on Asset Class

Atty Docket No. 12123-40951

)  
) Group Art Unit:  
)  
) Examiner:  
)  
)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

### 37 C.F.R. §3.73(b) STATEMENT AND POWER OF ATTORNEY

The Assignee for the above-identified U.S. patent application (hereinafter "Patent Application"), and the invention disclosed therein, hereby states pursuant to 37 C.F.R. §3.73(b) that the Assignee is the sole owner of the Patent Application to the exclusion of each inventor thereof.

The Assignee establishes its ownership by submission herewith of one or more assignment documents establishing that Assignee possesses all rights, title, and interest in and to the Patent Application. As the established owner of the Patent Application, the Assignee hereby invokes its right to conduct prosecution of the Patent Application to the exclusion of each named inventor.

The Assignee further hereby appoints the Attorneys and Patent Agents of Morris Manning & Martin, L.L.P., associated with **Customer Number 26702** in the records of the U.S. Patent & Trademark Office and as updated from time to time, to prosecute the Patent Application and to transact all business in the U.S. Patent & Trademark Office connected therewith.

**26702**  
customer number

All correspondence in this case should be directed to the same Customer Number.

The Assignee hereby declares that no other person or entity is authorized to take any action before the U.S. Patent & Trademark Office with respect to the Patent Application. The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the Assignee.

SEEKERNET, INC.

By:   
Signature of Corporate Officer

12 | 1 | 03  
Date

Robert W. Twitchell, Jr.  
Name of Corporate Officer

President  
Title of Corporate Officer